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APR 1651

Attorney Docket # 3029-75RCE

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Tomohiro TSUJI et al.

Serial No.: 09/992,221

Filed: November 06, 2001

For: Method for Classifying and Counting Nucleated Bone Marrow Cells

Examiner: J. P. Weber

Group Art: 1651

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

March 24, 2004

(Date of Deposit)

Kent H. Cheng

Name of applicant, assignee or Registered Representative

Kent H. Cheng

Signature

March 24, 2004

Date of Signature

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

S I R:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated December 24, 2003 of the Primary Examiner finally rejecting claims 1-11.

The items checked below are appropriate:

1. ☒ The time for response to the Office Action of December 24, 2003 expires on March 24, 2004.
2. ☐ A __-month extension of time for response to the Office Action dated __ was filed on __. [No additional extensions of time are required.]
- 3a. ☐ Applicant(s) hereby request(s) a one two three-month extension of the original shortened statutory response period set in the Office Action of __. A check in the amount of __ in payment of the government fee for an extension of time is enclosed herewith.

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- 3b. ☐ This is not the first request for an extension of time relative to the outstanding paper. The period for response has already been extended by -month(s) by petition dated . Please extend the time for response by an additional -month(s). With this extension, the deadline for filing the required paper will be . A check for the additional extension fee of \$ is enclosed.
4. ☒ Check for payment of the appeal fee of \$330.00
☒ is enclosed herewith.
☐ No additional fee is required (fee paid in prior appeal).
☐ Charge the fee to Deposit Account No. 03-2412 (one additional copy of this Notice is enclosed herewith).
5. ☒ Charge any additional fees required, for example, for lodging this appeal or for filing the Appeal Brief, not otherwise paid by check, to Deposit Account No. 03-2412. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
COHEN, PONTANI, LIEBERMAN & PAVANE

By Kent H. Cheng
Kent H. Cheng
Reg. No. 33,849
551 Fifth Avenue
New York, New York 10176
(212) 687-2770

Dated: March 24, 2004